

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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CAROLYN D. COLEMAN,

Plaintiff,

21 **CIVIL** 0076 (KHP)

-v-

JUDGMENT

COMMISSIONER OF SOCIAL SECURITY.

Defendant.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Stipulation and Order dated October 21, 2021, that this action be, and hereby is, remanded to the Commissioner of Social Security, pursuant to sentence four of 42 U.S.C. § 405(g), in connection with the Supreme Court's decision *Carr v. Saul*, 141 S. Ct. 1352 (2021), in which the Court held that a claimant need not raise an Appointments Clause claim before the Social Security Administration, but may instead present it for the first time in federal court. Here, an Appointments Clause claim was raised during the pendency of this case. Accordingly, on remand, the case will be assigned to a different administrative law judge ("ALJ") to further evaluate plaintiff's claims, plaintiff will be offered the opportunity for a hearing, and the ALJ will issue a new decision.

Dated: New York, New York
October 22, 2021

RUBY J. KRAJICK

Clerk of Court

BY:



Deputy Clerk